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FEB 22 2011

February 18, 2011

DEPARTMENT OF
WATER RESOURCES

-- via fax 736-2121 / 4 pages --

Clerk of District Court
SNAKE RIVER BASIN ADJUDICATION
253 3rd Ave. N.
P.O. Box 2707
Twin Falls ID 83303-2707

Re: **Hailey**, City of - Water Rights
Subcase Nos. 37-00296A, 37-00717, 37-01216 & 37-07854

Dear Clerk:

Enclosed herewith for filing please find CLAIMANT'S MOTION TO VACATE HEARING.

Thank you.

Sincerely,



Patrick D. Brown

/cb
Enc.

cc: ~~WAT~~ Albert Barker, w/enc., via fax 344-6034
Randall Budge, w/enc., via fax 232-6109
Craig Hobdey, w/enc., via fax 934-4420
Dana Hofstetter, w/enc., via fax 424-8774
✓ Director of IDWR, w/enc.
Chief, Natural Resources Div., w/enc.
Environment & Natural Resource Div., w/enc.
City of Hailey, w/enc.

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DEPARTMENT OF
WATER RESOURCES

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Attorneys for **Claimant City of Hailey**

IN THE DISTRICT COURT OF THE 5th JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase Nos. **37-00296A, 37-00717**
) **37-01216, 37-07854**
)

) **CLAIMANT'S MOTION TO**
) **VACATE HEARING**
)
)
)
)

COMES NOW Claimant City of Hailey and moves this Court to vacate the hearing set for Wednesday, 2-23-11, on Summary Judgment Motions and for Status Conference, and reset said hearing at a later time.

This Motion is made for the reason that counsel for City of Hailey, Patrick D. Brown, has been sick with pneumonia since approximately Saturday, 2-5-11, and has been unable to work. As a result, Mr. Brown has been unable to finalize his brief that was due in this matter; it now appears that he will be unable to finish the brief before the hearing set for 2-23-11 as he continues to be incapable of working. Additionally, he has been continuously unable to speak and will not be

able to participate in the hearing as necessary.

It is Claimant's firm belief that it has meritorious claims and that it is absolutely necessary for their counsel Patrick D. Brown to represent them at the hearing.

Hearing on this Motion is not requested.

Dated this 18th day of February, 2011.

HUTCHINSON & BROWN, LLP



By: _____
Patrick D. Brown
Attorneys for Claimant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 18th day of February, 2011, (s)he served a true and correct copy of the within and foregoing document upon the following by the method indicated to:

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